

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD Department, - Irregularities in award of price adjustment on material/pipes procured etc., in RWS (Projects) at Poduru and other habitations in West Godavari District – Disciplinary proceedings against Sri M.V.Satyanarayana Raju, the then PA to Superintending Engineer, Rural Water Supply Circle, Eluru, West Godavari District and presently working as Deputy Executive Engineer O/o Engineer in Chief, Rural Water Supply & Sanitation, Hyderabad, under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of Charges – Orders - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT(VIG.I) DEPARTMENT

G.O.RT.No. 59

Dated.22.01.2015

Read the following:

- 1.From the GA (V&E) Appraisal Report No.70(498/V&E/E2/10), Dt.01.04.2014.
- 2.From the GA (V&E) Appraisal Report No.17(225/V&E/E2/11), Dt.26.07.2014.

ORDER:

It is proposed to hold an inquiry against Sri M.V.Satyanarayana Raju, the then PA to Superintending Engineer, Rural Water Supply Circle, Eluru, West Godavari District and presently working as Deputy Executive Engineer, O/o Engineer in Chief, Rural Water Supply & Sanitation, Hyderabad, in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services(classification, control and appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure II and III).

3. Sri M.V.Satyanarayana Raju, the then PA to Superintending Engineer, Rural Water Supply Circle, Eluru, West Godavari District and presently working as Deputy Executive Engineer, O/o Engineer in Chief, Rural Water Supply & Sanitation, Hyderabad, is directed to submit a Written statement of his defence within 10 days of the receipt of this order.

4. Sri M.V.Satyanarayana Raju, the then PA to Superintending Engineer, Rural Water Supply Circle, Eluru, West Godavari District and presently working as Deputy Executive Engineer, O/o Engineer in Chief, Rural Water Supply & Sanitation, Hyderabad, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri M.V.Satyanarayana Raju, the then PA to Superintending Engineer, Rural Water Supply Circle, Eluru, West Godavari District and presently working as Deputy Executive Engineer, O/o Engineer in Chief, Rural Water Supply & Sanitation, Hyderabad, is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (classification, control and appeal) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

(PTO)

6. Attention of Sri M.V.Satyanarayana Raju, the then PA to Superintending Engineer, Rural Water Supply Circle, Eluru, West Godavari District and presently working as Deputy Executive Engineer, O/o Engineer in Chief, Rural Water Supply & Sanitation, Hyderabad, is invited to Rule 24 of the Andhra Pradesh Civil Services(Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri M.V.Satyanarayana Raju, the then PA to Superintending Engineer, Rural Water Supply Circle, Eluru, West Godavari District and presently working as Deputy Executive Engineer, O/o Engineer in Chief, Rural Water Supply & Sanitation, Hyderabad, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of Andhra Pradesh Civil Services(Conduct) Rules, 1964.

7. The receipt of the order be acknowledgment.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.K.S.JAWAHAR REDDY
SECRETARY TO GOVERNMENT

To

Sri M.V.Satyanarayana Raju, the then PA to Superintending Engineer, Rural Water Supply Circle, Eluru, West Godavari District and presently working as Deputy Executive Engineer, O/o Engineer in Chief, Rural Water Supply & Sanitation, Hyderabad, through Engineer-in-Chief, Rural Water Supply & Sanitation Department, Hyderabad.

The Engineer in Chief, Rural Water Supply & Sanitation, Hyderabad. (with a request to serve the charges to the individual and furnish a served copy to Government),

SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE - I

STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED AGAINST SRI M.V.SATYANARAYA RAJU, THE THEN PA TO SUPERINTENDING ENGINEER, RURAL WATER SUPPLY & SANITATION CIRCLE, ELURU (FROM 18.07.2004 TO 13.12.2007) AND PRESENTLY WORKING AS DEPUTY EXECUTIVE ENGINEER, O/o ENGINEER IN CHIEF, RURAL WATER SUPPLY & SANITATION, HYDERABAD.

CHARGE1:

That Sri M.V.Satyanarayana Raju, the then PA to Superintending Engineer, Rural Water Supply & Sanitation Circle, Eluru has failed to discharge his legitimate duties and failed to follow prescribed procedure laid down for calculation of price escalation and violated agreement conditions and also relevant Circulars/ G.O.s due to which an amount of Rs.52,73,056/- loss to the Govt. Exchequer.

BASIS:-

As per the General Administration(V&E) Department Appraisal Report No.70(498/V&E/E2/2010)-(ELURU), dt.1.4.2014, Sri M.V.Satyanarayana Raju, the then PA to Superintending Engineer, Rural Water Supply & Sanitation Circle, Eluru, has failed to follow the prescribed procedure laid down for calculation of price escalation for the raw materials used in HDPE pipes and BWSC pipes, considering the material rate one month prior to QC inspection date instead of one month prior to QC offered date communicated by the Executive Agency is in blatant violation of the specified Agreement clause (4.6). Further the Vigilance & Enforcement authorities informed that during their enquiry the said Assistant Executive Engineer has submitted QC offer letter of Executive Agency dt.8.9.2007 for 400mm dia BWSC Pipes wherein the QC offered quantity was 1560.00 RMT and in the connected QC Inspection certificatedt.18.9.2007 the exhibited quantity was mentioned as 1924.00Rmt and cleared quantity was 972.40Rmt. The QC offer letter of Executive Agency dt.8.9.2007 submitted by the Assistant Executive Engineer to the Vigilance & Enforcement authorities for quantity of 972.400 Rmt towards QC Inspection Certificate dt.5.10.2007 wherein the cleared quantity was mentioned as 1803.60 Rmt is observed to be not correct and relevant, as it was prior to the QC offer letter dt.8.9.2007 already submitted by the agency for QC Inspection and the same was inspected vide QC Inspection Dt.18.9.2007.The said Assistant Executive Engineer has relied on the oral information obtained over phone which is against the norms. He also failed to obtained prevailing rates of raw materials for the respective months with respect to dates of QC offer letters. Due to which an amount of Rs. 52,73,056/- loss to the Government Exchequer. From this it is evident that he has shown Gross Negligence towards his Legitimate Duties and violated Rule (3) of Andhra Pradesh Civil Services (classification, control and appeal) Rules, 1964.

Hence the charge.

CHARGE2:

That Sri M.V.Satyanarayana Raju, the then PA to Superintending Engineer, Rural Water Supply & Sanitation Circle, Eluru has failed to maintained the basic records for arriving price variation and failed to furnish the documents. Thus he discharged his legitimate duties with gross negligence.

(Contd....2)

BASIS:

As per the General Administration(V&E) Department Appraisal Report No.70(498/V&E/E2/2010)-(ELURU), dt.1.4.2014, Sri M.V.Satyanarayana Raju, the then PA to Superintending Engineer, Rural Water Supply & Sanitation Circle, Eluru, has failed to furnish the following documents.

- a) Evidence letter to the non availability of stock of 7610 Rmt of 160mm dia HDPE pipes with manufacturer as on 08.07.2007.
- b) Correspondence letters with the executing agency regarding to the non availability of stock of 7610 Rmt of 160mm dia HDPE pipes with manufacturer as on 08.07.2007.
- c) QC offer letter for 7596 Rmt of 160mm dia HDPE pipes on 03.09.2007
- d) QC offer letters for BWSC 400mm dia pipes for lengths of 972.4RM & 1803.6 RM(Lengths of BWSC finished pipes as per invoices are not tallying with reference to Quality Control cleared lengths). Being the PA to SE his duty is to maintain the record and furnish whenever asked by the authorities. But the said Deputy Executive Engineer has failed furnish the documents to Vigilance & Enforcement authorities.

From this it is evident that he has shown Gross Negligence towards his Legitimate Duties and violated Rule (3) of Andhra Pradesh Civil Services (classification, control and appeal) Rules, 1964.

Hence the charge.

CHARGE3:

That Sri M.v.satyanarayana Raju, the then PA to Superintending Engineer Rural Water Supply & Sanitation, Eluru has failed to discharge his legitimate duties by violating the agreement clause 4.6 in purchasing of HR Plates and MS wire rods prior to the date of agreement .

BASIS:

As per the V&E Department Appraisal Report No.70(498/V&E/E2/2010)-(ELURU), dt.1.4.2014, Sri M.V.Satyanarayana Raju, the then PA to Superintending Engineer, Rural Water Supply & Sanitation , Eluru, has derlicted his Legitimate Duties and initiated for purchase the HR Plates and MS wire rods well in advance in the months of May 2006 & July 2006 prior to the date of agreement i.e., 16.12.2006 keeping in view of increasing price day by day and evaluation of price escalation for the same is totally irrelevant and misinterpretation of the Agreement Clause 4.6 that the clause of price escalation is applicable only when the work is in progress as per the original program schedule and that the price variation will be arrived on the material purchased during the progress of work. However, the price of the entire material in respect of 400mm dia BWSC Pipe was Procured at lesser Price (Invoice rate) than estimated rate and hence price variation based on the raw material cost in respect of the Plates and MS Wire rods does not arise. The price variation calculations adopted by Sri.M.V.Satyanarayana Raju, P.A to Superintending Engineer as a initiating officer has without considering the invoice rate which is lesser is not appropriate. Instead of effecting price reduction of Rs.4,44,902 /- he has paid an amount of Rs.52,73,056/- based on the raw material cost which is the against the norms. From this it is evident that he has shown Gross Negligence towards his Legitimate Duties and violated Rule (3) of Andhra Pradesh Civil Services (classification, control and appeal) Rules, 1964.

Hence the charge.

Dr.K.S.JAWAHAR REDDY
SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE - II

**LIST OF THE DOCUMENTS BY WHICH THE ARTICLE CHARGES FRAMED
AGAINST SRI M.V.SATYANARAYANA RAJU, THE THEN PA TO
SUPERINTENDING ENGINEER, RURAL WATER SUPPLY & SANITATION
CIRCLE, ELURU AND PRESENTLY WORKING AS DEPUTY EXECUTIVE
ENGINEER, O/o ENGINEER IN CHIEF, RURAL WATER SUPPLY &
SANITATION, HYDERABAD.**

Govt Memo.No.7905/Vig.I/2014-3, dt.19.07.2014 of PR&RD (Vig.I) Dept
along with Appraisal Report No.70(498/V&E/E2/2010)-(ELURU),
dt.1.4.2014 of General Administration(V&E) Department.

Dr.K.S.JAWAHAR REDDY
SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE - III

**LIST OF WITNESSES BY WHICH THE ARTICLE OF CHARGES ARE
FRAMED AGAINST SRI M.V.SATYANARAYANA RAJU, THE THEN PA TO
SE, RWS&S CIRCLE, ELURU AND PRESENTLY WORKING AS DEE, O/o
ENC, RWS&S, Hyd.,**

- NIL -

Dr.K.S.JAWAHAR REDDY
SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

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